

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 14-0274
ELECTRONICALLY FILED

v.

JOSEPH JACKSON,

Defendant.

ORDER OF COURT

Before the Court are two motions filed Defendant, Joseph Jackson. The first is a Motion for Home Confinement filed at [ECF 169](#), the second is a Motion to Appoint Counsel filed at [ECF 170](#). The Government filed a Response to these Motions. [ECF 172](#). The Court will DENY both Motions for the reasons set forth below.

First, Defendant claims he is due to be released from prison on August 26, 2021. [ECF 169](#). Defendant argues that he should be placed on home confinement now because “he has nothing to do.” *Id.* Under the law, this Court does not have the authority to determine where Defendant should complete his term of confinement. As noted by the Government, [18 U.S.C. § 3621\(b\)](#), the BOP’s designation decision is not subject to judicial review. Thus, Defendant’s motion in the regard is DENIED.

Next, Defendant asks for an attorney to represent him in his pursuit for early discharge from prison to home confinement. [ECF 170](#). However, there is “no general constitutional right to appointed counsel in post-conviction proceedings.” [Pennsylvania v. Finley](#), 481 U.S. 551, 555 (1987); [United States v. Williamson](#), 706 F.3d 405, 416 (4th Cir. 2013). Moreover, as noted

above, because the Court has no authority to select where Defendant serves his term of imprisonment, appointing counsel Therefore, Defendant's Motion for Counsel is DENIED.

SO ORDERED, this 24th day of June, 2021.

s/ Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

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